

KAMALA D. HARRIS
Attorney General of California
SUSAN S. FIERING
Supervising Deputy Attorney General
TIMOTHY E. SULLIVAN (Cal. Bar No. 197054)
JASON A. MALINSKY (Cal. Bar No. 259761)
Deputy Attorneys General
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Telephone: (510) 622-2195
Fax: (510) 622-2270
E-mail: Jason.Malinsky@doj.ca.gov

*Attorneys for Plaintiff Department of Toxic
Substances Control*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL,**

Plaintiff,

v.

TECHNICHEM, INC., ET AL.,

Defendants.

C 12 5845 CRB

**STIPULATION AND ORDER
REGARDING PLAINTIFF
DEPARTMENT OF TOXIC
SUBSTANCES CONTROL'S PROPOSED
SECOND AMENDED COMPLAINT**

Judge: The Honorable Charles R.
Breyer

Action Filed: November 14, 2012

Plaintiff the Department of Toxic Substances Control ("DTSC") and defendants
Technichem, Inc.; Mark J. Ng; Virginia Pellegrini; Virginia Pellegrini, Trustee of the Mario J.
and Virginia E. Pellegrini Trust; Foasberg Laundry and Cleaners, Inc.; Celebrity Cleaners; John
Kim dba Celebrity Cleaners; Hae Woon Chun dba Celebrity Cleaners; Virginia Cleaners, LTD.;
and Michael J. McDonald (collectively "defendants") by and through their counsel, stipulate as
follows:

1 1. DTSC may file the attached proposed Second Amended Complaint on or before
2 August 30, 2013, naming new defendants.

3 2. On July 24, 2013, the Court approved and entered the Consent Decree between DTSC
4 and defendants Inter-City Cleaners, LLC; Hans Gelfand; County of Stanislaus; Hakuyosha
5 International, Inc.; Chris and Ken Enterprises, Inc., doing business as Crown Cleaners; Paul's Dry
6 Cleaners; M & M Cleaners; Pak Hee Kyoo dba M & M Cleaners; Irvin Pressman and Annette
7 Pressman, dba E. Pressman & A. Pressman Partners Dollar Cleaners; Irvin Pressman; Annette
8 Pressman; and Prudential Overall Supply (collectively "Settled Arranger Defendants"). (Dkt. No.
9 62.) The Consent Decree resolved the claims DTSC made against those parties in the January 17,
10 2013, First Amended Complaint (Dkt. No. 6).

11 3. The Second Amended Complaint will restate the allegations of the First Amended
12 Complaint as to the Settled Arranger Defendants to ensure that the Court retains jurisdiction over
13 the Settled Arranger Defendants for purposes of the Consent Decree. DTSC will not make any
14 new allegations in its Second Amended Complaint against the Settled Arranger Defendants that
15 DTSC believes require a response.

16 4. Because a Consent Decree with each of the Settling Defendants has been approved
17 and entered by the Court, the Settled Arranger Defendants are not required to respond to the
18 Second Amended Complaint.

19 5. Every other defendant's response to the First Amended Complaint will be deemed its
20 response to the Second Amended Complaint.

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6. The Second Amended Complaint will not include a prayer for relief against the Settled Arranger Defendants because the obligations of the Settled Arranger Defendants are as stated in the Consent Decree approved by the Court.

IT IS SO STIPULATED.

Dated: August , 2013

Respectfully Submitted,

KAMALA D. HARRIS
Attorney General of California
SUSAN S. FIERING
Supervising Deputy Attorney General
TIMOTHY E. SULLIVAN
Deputy Attorney General

/s/ Jason A. Malinsky

JASON A. MALINSKY
Deputy Attorney General
*Attorneys for Plaintiff Department of Toxic
Substances Control*

Dated: August , 2013

BENJAMIN H. BALLARD
*Attorney for Defendants Virginia Pellegrini;
Virginia Pellegrini, Trustee of the Mario J.
and Virginia E. Pellegrini Trust*

Dated: August , 2013

BRIAN M. LEDGER
*Attorney for Defendants Technichem, Inc.,
and Mark J. Ng*

6. The Second Amended Complaint will not include a prayer for relief against the Settled Arranger Defendants because the obligations of the Settled Arranger Defendants are as stated in the Consent Decree approved by the Court.

IT IS SO STIPULATED.

Dated: August , 2013

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TIMOTHY E. SULLIVAN
Deputy Attorney General

JASON A. MALINSKY
Deputy Attorney General
*Attorneys for Plaintiff Department of Toxic
Substances Control*

Dated: August 22, 2013



BENJAMIN H. BALLARD
*Attorney for Defendants Virginia Pellegrini;
Virginia Pellegrini, Trustee of the Mario J.
and Virginia E. Pellegrini Trust*

Dated: August , 2013

BRIAN M. LEDGER
*Attorney for Defendants Technichem, Inc.,
and Mark J. Ng*

1 6. The Second Amended Complaint will not include a prayer for relief against the
2 Settled Arranger Defendants because the obligations of the Settled Arranger Defendants are as
3 stated in the Consent Decree approved by the Court.

4
5 **IT IS SO STIPULATED.**

6
7 Dated: August , 2013

Respectfully Submitted,


8 KAMALA D. HARRIS
9 Attorney General of California
10 SUSAN S. FIERING
11 Supervising Deputy Attorney General
12 TIMOTHY E. SULLIVAN
13 Deputy Attorney General

14 JASON A. MALINSKY
15 Deputy Attorney General
16 Attorneys for Plaintiff Department of Toxic
17 Substances Control


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20 Dated: August , 2013

21 BENJAMIN H. BALLARD
22 Attorney for Defendants Virginia Pellegrini;
23 Virginia Pellegrini, Trustee of the Mario J.
24 and Virginia E. Pellegrini Trust

25 Dated: August , 2013

26 
27 BRIAN M. LEDGER
28 Attorney for Defendants Technichem, Inc.,
 and Mark J. Ng

1 Dated: August 22, 2013


ELIZABETH M. WEAVER
*Attorney for Defendants Foasberg Laundry
and Cleaners, Inc.; Celebrity Cleaners; John
Kim dba Celebrity Cleaners; Hae Woon
Chun dba Celebrity Cleaners*

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6 Dated: August , 2013

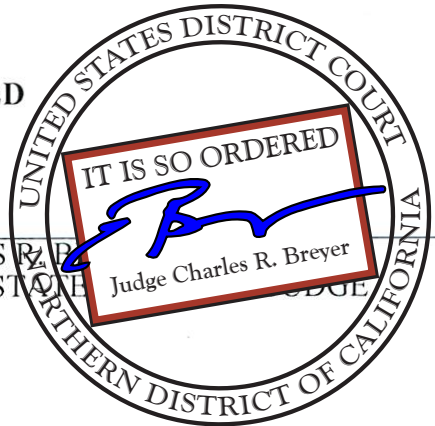
THOMAS M. DOWNEY
*Attorney for Defendants Virginia Cleaners,
LTD; Michael J. McDonald*

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10 PURSUANT TO STIPULATION, IT IS SO ORDERED

11
12 August 30, 2013

13 Date

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16 CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

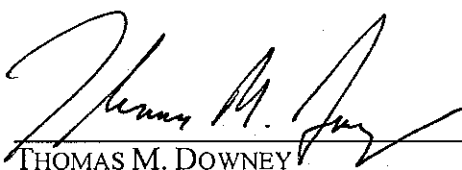


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ELIZABETH M. WEAVER
Attorney for Defendants Foasberg Laundry
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6 Dated: August 22, 2013


THOMAS M. DOWNEY
Attorney for Defendants Virginia Cleaners,
LTD; Michael J. McDonald

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10 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

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13 _____ Date

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

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